

**AMENDMENT TRANSMITTAL LETTER**Docket No.  
49814DIV(70904)Application No.  
10/676,973-Conf. #7679Filing Date  
September 30, 2003Examiner  
Alicia M. HarringtonArt Unit  
2873

Applicant(s): Ikuo Nakano et al.

Invention: OPTICAL RECORDING/REPRODUCING APPARATUS

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	4	- 20 =		x	0.00
Independent Claims	2	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					

☒ Large Entity☐ Small Entity☐ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-1105  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

David A. Tucker  
David A. Tucker  
Attorney Reg. No.: 27,840

Dated: November 17, 2004

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV519064222US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2004

Signature: Judy Daley (Judy Daley)



11-19-04

AF JTW

Attorney Docket No. 49,814-DIV (70904)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: I. Nakano, et al.

GROUP: 2873

SERIAL NO. 10/676,973

EXAMINER: Harrington, Alicia M.

FILED: September 30, 2003

FOR: OPTICAL RECORDING/REPRODUCTION APPARATUS

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office To Addressee", service under 37 CFR 1.10 (Express Mail Label Number **EV 519064222 US**), and is addressed to Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 17, 2004.

By: \_\_\_\_\_

Judy Daley

MAIL STOP: AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Sir:

**COMBINED AMENDMENT AND REQUEST  
FOR DRAWING CHANGE APPROVAL AFTER  
FINAL REJECTION UNDER 37 CFR 1.116**

In response to the Official Action currently outstanding with regard to the above-identified case which Official Action the Examiner has designated as being FINAL, Applicants respectfully request that the following Request for Drawing Change Approval be granted and that the following Amendment be entered so as to place this application in condition for allowance, or at least in better form for Appeal, pursuant to 37 CFR 1.116.

**REQUEST FOR DRAWING CHANGE APPROVAL**

Applicants respectfully request that in response to this communication the Examiner approve the change in Figure 9 of this application shown in red on the attached photocopy of that Figure of the drawings of this application. Specifically, Applicants respectfully request the Examiner approve the attached amendment to Figure 9 that corrects the boundary intended for the quantity "p3" shown therein by completing the reference line midway between the lines 13 and 14, deleting the extension of the line 14 and changing the length of the double arrow. Support for this change to the drawings is found at Page 34, line 9 to Page 35, line 3 of the present specification wherein it is stated that the first recording layer 13 is located at an optical thickness  $p3 - \Delta p$  from the surface of the light transmitting layer and that the second recording layer 14 is located at an optical thickness  $p3 + \Delta p$  from the surface of the light transmitting layer analogously to the boundaries depicted for the quantity p3 in Figure 13.

In anticipation of the Examiner's approval of this request, Applicants concurrently herewith are submitting new formal drawings for this application incorporating the changes noted above. Acceptance and entry of those new formal drawings into this application also is respectfully requested.